

AO 91 (Rev. 02/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Northern District of California

United States of America )

v. )

ANTHONY JOSEF NORRIS )

Defendant )

FILED

EMC

Case No. MAY 26 2011 3 11 70588

RICHARD W. WIEKING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 04/26/2011 in the county of San Francisco in the Northern District of California, the defendant violated 18 U. S. C. § 2252(a)(4)(B), an offense described as follows:

Possession of Child Pornography

This criminal complaint is based on these facts:

See attached declaration of FBI Special Agent Lydia L. Durben.

☒ Continued on the attached sheet.

APPROVED AS TO FORM:



OWEN MARTIKAN, AUSA

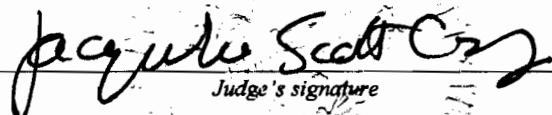
Sworn to before me and signed in my presence.

Date: 5.26.2011City and state: San Francisco, California

Complainant's signature

Special Agent Lydia L. Durben, FBI

Printed name and title



Judge's signature

Hon. Jacqueline Scott Conley, US Magistrate Judge

Printed name and title



**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

In re: ANTHONY JOSEF NORRIS

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Lydia L. Durben, do swear and affirm as follows:

**I. INTRODUCTION**

1. This affidavit is in support of a complaint and arrest warrant charging ANTHONY JOSEF NORRIS with possession of child pornography, in violation of 18 U.S.C. § 2252(a)(4)(B). The investigation that led to this complaint began in July, 2010, when internet accounts assigned to NORRIS were identified as having posted videos depicting the sexual abuse of children to a Usenet newsgroup. The statements contained in this affidavit are based on my experience and training as a Special Agent, my own investigation, and my review of reports of other law enforcement personnel who have participated in this investigation. Because this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are necessary to establish probable cause that NORRIS violated Title 18, United States Code, 2252(a)(4)(B).

**II. AGENT BACKGROUND**

2. I have been employed as a Special Agent of the Federal Bureau of Investigation (FBI) since December, 1999. I am presently assigned to the San Francisco Office of the FBI, Hayward Resident Agency. Since joining the FBI, I have investigated

violations of Federal law, including those related to organized crime, violent crime, cyber crime and sexual exploitation of minors. I have received training and have actual experience relating to Federal criminal procedures and Federal statutes. I have conducted, coordinated, and participated in numerous investigations relating to the sexual exploitation of minors, including child exploitation via the internet and computers.

3. In my current capacity, I am assigned to primarily work cases involving the sexual exploitation of minors. I have received training in techniques for investigating violations of Title 18, United States Code, including specifically 18 U.S.C. 2252(a)(4)(B), which prohibits the possession of visual depictions of minors engaged in sexually explicit conduct, also referred to herein as child pornography. In the course of the investigation described herein, I have reviewed reports of other law enforcement personnel who have participated in the investigation of this case.

### **III. APPLICABLE CRIMINAL STATUTES**

4. Under Title 18, United States Code, Section 2252(a)(4)(B), it is a crime for any person to knowingly possess any matter containing any visual depiction that has been mailed, or has been shipped or transported using any facility or interstate or foreign commerce or in or affecting interstate or foreign commerce, or that was produced using materials that have been mailed or so shipped or transported by any means, including by computer, if the producing of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and such depiction is of such conduct.

5. Sexually explicit conduct includes, among other things, masturbation, the lascivious exhibition of the genitals or pubic area of any person, and graphic sexual

intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex. 18 U.S.C. § 2256(2).

6. A minor is any person under the age of 18 years. 18 U.S.C. § 2256(1).

#### **IV. DEFINITIONS RELATING TO THE USENET.**

7. The following definitions apply to this affidavit:

- a. The "Usenet" is a world-wide network, accessed via the internet, that hosts newsgroups.

- b. A "newsgroup" is a repository for electronic messages, usually organized by topic, that allows users to view, download, and post data such as text messages, images, or videos on a computerized bulletin board from an internet-connected computer. A particular posted message or file is commonly referred to as a "newsgroup posting."

- c. A "newsreader" is an application that facilitates access to newsgroups.

- d. A "Usenet Service Provider" facilitates access to the Usenet network.

- e. "Headers" reveal information contained in a newsgroup posting including, but not limited to, the Usenet Service Provider.

#### **V. FACTS ESTABLISHING PROBABLE CAUSE**

8. On July 29, 2010, a Special Agent assigned to the Minneapolis, Minnesota Division of the FBI logged onto the internet in an undercover capacity and entered a publicly accessible Usenet newsgroup that the Agent knew from training and experience was commonly used to post child pornography images and videos, and to discuss

methods of trading child pornography while evading detection by law enforcement. The Agent observed and downloaded five video files posted by someone using the screen name "Spanky." The Agent reviewed the video files and determined that they depicted sexually explicit images of children, including a video with the filename "p101 14.mpg," that depicted a naked prepubescent boy who is tied to a chair while an adult man fondles the boy's penis and forces the boy to fellate him.

9. Further investigation traced the postings to NORRIS's home address in San Francisco, California, and identified NORRIS as the founder and director of Kid Serve, an organization that offers art instruction to children throughout the San Francisco Bay Area. I obtained a search warrant for NORRIS's home address, which I executed on April 26, 2011, with other FBI special agents.

10. During the execution of this search warrant, I interviewed NORRIS after informing him that he was not under arrest, that the interview was voluntary, and that he could terminate it at any time. NORRIS told me his computer, identified as an iMac, serial number W89142RS0TL, would contain child pornography. NORRIS admitted that he downloaded child pornography via the internet and has been collecting child pornography for a few years. NORRIS told me he first encountered child pornography on the internet ten years ago.

11. The iMac computer, serial number W89142RS0TL, was seized and submitted to the Silicon Valley Regional Computer Forensic Laboratory for forensic examination.

12. On May 11, 2011, I completed a review of the Silicon Valley Regional Computer Forensic Laboratory report, dated April 30, 2011, which summarizes the



forensic examination of the iMac computer, serial number W89142RS0TL. The computer forensic laboratory discovered Usenet newsgroup account information that included a login screen for GigaNews and a newsreader personality name, also known as a screen name, of "Spanky." The computer forensics laboratory discovered references to file names in unallocated space that match the filenames of some of the videos that were posted on the Usenet newsgroup by Spanky, and observed by the FBI undercover agent on July 29, 2010, including the "p101 14.mpg" video described above. The laboratory identified 7,500 files of possible child pornography.

13. I reviewed images found on NORRIS's iMac computer and confirmed that at least 600 of them depicted the sexual exploitation of pre-pubescent children, such as the following:

- a. An image depicting an apparent infant boy, whose anus is being penetrated by a penis.
- b. An image depicting a naked pre-pubescent boy, who appears to be 4-8 years old, lying down with his legs spread, genitalia exposed, and a foreign object inserted into his anus.
- c. An image depicting a pre-pubescent girl, who appears to be 4-9 years old, being vaginally penetrated by a penis.

14. I confirmed with Apple Customer Relations that the iMac computer, serial number W89142RS0TL, was manufactured in China.


15. The computer forensics laboratory identified 143 files on NORRIS's iMac computer that matched files identified by the National Center for Missing and Exploited

Children as depicting known child victims, including child victims who reside outside California.

**VI. CONCLUSION**

16. Based on the aforementioned facts and information, there is probable cause to believe that on April 26, 2011, in the Northern District of California, Anthony Josef NORRIS did knowingly possess matters containing visual depictions that had been shipped and transported using any facility of interstate and foreign commerce and in or affecting interstate or foreign commerce, and that were produced using materials that have been mailed or so shipped or transported by any means, including by computer, that involved the use of a minor engaging in sexually explicit conduct, and that were depictions of such conduct, in violation of Title 18, United States Code, Section 2252(a)(4)(B).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief.

  
Lydia L. Durben, Special Agent  
Federal Bureau of Investigation

Subscribed and sworn to before me  
in San Francisco, California on:

5.26.2011  
Date

  
HON. JACQUELINE SCOTT CORLEY  
U.S. MAGISTRATE JUDGE